

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Vivian C. Wood

SUMMONS IN A CIVIL ACTION

V.

Merck & Company, Inc.

CASE NUMBER:

TO: (Name and address of Defendant)

Merck & Company, Inc.
C/O CT Corporation System
111 Eighth Ave.
New York, New York 10011

07 CV 6981

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Laura V. Yaeger
Fleming & Associates
1330 Post Oak Blvd.
Suite 3030
Houston, Texas 77056
713-621-7944
713 621-9638 (Fax)

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

AUG 03 2007

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾		DATE Aug. 13, 2007 at 12:47 PM
NAME OF SERVER (PRINT) Sunbelt/ Henry Moss		TITLE Licensed Process server
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): Service was executed by serving Sati Jairam, Process Specialist at CT Corp. System At 111 8th Avenue, New York, NY. Said individual represented CT Corporation System, the Registered Agent of Merck & Co., Inc		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$92.50
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>Aug. 13, 2007</u> Date		<u>Henry Moss</u> Signature of Server
		<u>102 East 22nd Street, New York, NY 10010</u> Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.